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Attorneys for Defendants
GENERAL ELECTRIC COMPANY and
GE HEALTHCARE INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, OAKLAND

CAROL MOORHOUSE and
JAMES MOORHOUSE,

Plaintiffs,

v.

BAYER HEALTHCARE
PHARMACEUTICALS, INC.;
BAYER HEALTHCARE LLC;
GENERAL ELECTRIC
COMPANY; GE HEALTHCARE,
INC.; COVIDIEN, INC.;
MALLINCKRODT, INC.;
BRACCO DIAGNOSTICS, INC.;
McKESSON CORPORATION;
MERRY X-RAY CHEMICAL
CORP.; and DOES 1 through 35,

Defendants.

Case No. 3:08-CV-01831 SBA

DECLARATION OF VITO PULITO

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GENERAL ELECTRIC COMPANY and
GE HEALTHCARE INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

LAMANOR HARRIS and ISRAEL
HARRIS,

Plaintiffs,

v.

BAYER HEALTHCARE
PHARMACEUTICALS, INC.;
BAYER HEALTHCARE LLC;
GENERAL ELECTRIC
COMPANY; GE HEALTHCARE,
INC.; TYCO INTERNATIONAL,
INC.; COVIDIEN, INC.; TYCO
HEALTHCARE GROUP, LP;
MALLINCKRODT, INC.;
BRACCO DIAGNOSTICS, INC.;
McKESSON CORPORATION;
MERRY X-RAY CHEMICAL
CORP.; and DOES 1 through 35,

Defendants.

Case No. 2:08-cv-01896 MRP (CWx)

DECLARATION OF VITO PULITO

[Jury Trial Demanded]

(Los Angeles County Superior Court, Case
No.: BC385525)

VITO PULITO, pursuant to 28 U.S.C. § 1746, declares as follows:

1. I am employed as Vice-President and Treasurer of GE Healthcare Inc. ("GEHC"), a defendant named in this action. I am over the age of 18 and competent to make this declaration. All of the facts stated in this declaration are of my own personal knowledge. As to those matters to which I do not have such

1 knowledge, I have made diligent inquiry to determine the accuracy of the
2 statements set forth herein. I could and would testify competently thereto if called
3 as a witness in any proceeding.

4 2. GEHC is engaged in the business of selling, distributing and
5 marketing, among others, a gadolinium-based contrast agent, Omniscan™.
6 Omniscan™ is used by radiologists and other licensed healthcare providers in the
7 performance of magnetic resonance imaging procedures.

8 3. GEHC has an established chain of distribution for Omniscan™
9 whereby licensed distribution companies such as those named in this law suit act as
10 an intermediary between GEHC and the ultimate purchasers. The role of these
11 distributors in the chain of distribution is, and has always been, to sell this product
12 line to various imaging facilities in the same packaging in which it was received
13 from GEHC. These distributors do not, and did not, design, manufacture, or
14 administer Omniscan™. These distributors do not, and did not, design, assemble or
15 otherwise provide any of the packaging, labels or warnings for Omniscan™. These
16 distributors do not, and did not, design, test manufacture or label Omniscan™.

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18 I declare under penalty of perjury under both the laws of the United States
19 and the State of California that the foregoing is true and correct.

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21 Executed on April 10, 2008, in Princeton, New Jersey.

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24 VITO PULITO
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